PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

ISFMP POLICY BOARD

World Golf Village Renaissance
St. Augustine, Florida
November 5, 2015

Approved February 4, 2016

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(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Staff

Bob Beal
Toni Kerns
Mark Robson
Mike Waine

Guests

The Interstate Fisheries Management Program Policy Board of the Atlantic States Marine Fisheries Commission convened in the St. Augustine Ballroom of the World Golf Village Renaissance, St. Augustine, Florida, November 5, 2015, and was called to order at 9:30 o'clock a.m. by Chairman Douglas E. Grout.

CALL TO ORDER

CHAIRMAN DOUGLAS E. GROUT: Good morning everybody and welcome to the ISFMP Policy Board. I have the pleasure now of being the Chair of this committee after you have given me your faith in leading the Commission for the next two years. I just wanted to make a comment that I am truly honored and humbled that you've put this faith in me, and I look forward to the big celebration next year with our 75th Anniversary.

It is hard to believe this Commission has been going on for that long a period of time. Clearly, some people back in the '40s had some tremendous foresight at how to do fisheries management correctly.

APPROVAL OF AGENDA

Anyway, we have an agenda here and first of all, are there any additions to the agenda that people would like to put on here? We do have one item from the Striped Bass Board that we'll put under other business; any other additions or corrections to the agenda? Seeing none; we'll see the agenda as approved by consent.

APPROVAL OF PROCEEDINGS

We also have proceedings from our August, 2015 meeting. Are there any changes to that or edits to those minutes that were so wonderfully done by Joe. Thank you again. Okay, are there any objections to approving the minutes? I see them as approved. I don't have anybody signed up for public comment.

EXECUTIVE COMMITTEE REPORT

Seeing none; we'll move into the Executive Committee report that Louis Daniel will be providing for us.

DR. LOUIS B. DANIEL III: Good morning, Mr. Chairman. Congratulations. What's so funny about that? The Executive Committee met and had breakfast; thank you, Laura, on Tuesday morning. One of the main objects of the meeting was to discuss the Administrative Oversight Committee's report on our FY'15 audit. As usual, it was a very, very well done audit.

We came out looking very nice, as Laura has indicated. She will be wielding a bigger stick in terms of travel expenses and those types of things; and really the CPA is requiring that. **On behalf of the Executive Committee, I will enter a motion to accept the FY15 audit.**

CHAIRMAN GROUT: **That's a committee motion, it doesn't require a second; any discussion on that motion? Are there any objections to that motion? Seeing none; the audit is approved.**

DR. DANIEL: Next we reviewed our guidance documents, and I believe there is a separate agenda item, Mr. Chairman that you are going to deal with that issue so I will move on. The Funding Subcommittee update staff will be working to arrange visits to the Hill. If folks want to go and meet their delegates and talk to them about budget issues and encouraging members to try and get out and make those visits, they can. We discussed a risk and uncertainty policy. Jay McNamee made an excellent recommendation to develop a Risk and Uncertainty Workshop Policy, and we will be moving forward with that.

As you all probably know, we don't really have a Risk and Uncertainty Policy, and it is an important aspect of the Commission that we need to address. We had a little discussion

about ACCSP governance, not a lot there. We are looking at the potential for maybe consolidating ACCSP and ASMFC, but that is not a decision that has been made at this particular time. We are looking forward to Maine next year, I believe it is in Bar Harbor is where we'll be meeting; Bah Habah, then Virginia, New York and New Hampshire.

There was one little addition that I would like to make to this, and that was a good suggestion by our legislative and governors appointees, to try to get the word on what happened at the Executive Committees out to all of our membership. I would just like to ask at this time if Malcolm or Dennis have any additional comments that they believe are important specifically to the LGAs that they may want to add to my report before I conclude.

MR. DENNIS ABBOT: Louis, you do such a good job that there is not a lot that I could add, but at the LGA meeting, we also discussed dealing with the federal legislators and what not. I think maybe we'll continue with that and hopefully get better responses. It was also brought up that it would probably, as we mentioned at our Executive Board meeting, that it would be helpful if we had some contacts back in the home states where we would have more direct contact under a less pressured situation than on Capitol Hill.

DR. DANIEL: Question from Tom?

MR. THOMAS P. FOTE: Yes, do you have a date for Maine, because somebody said there is a date that you guys are going up.

DR. DANIEL: Third week in October. Thank you, Malcolm.

MR. WILLIAM A. ADLER: Louis, you mentioned something about the combining of the ACCSP and the ASMFC; what was that all about?

DR. DANIEL: Well there is discussion right now about - the ACCSP is in our office in Alexandria. There is some discussion about how the governance is working. They are two separate agencies right now. There is the possibility; there has been some discussion about the potential for those two to be combined to improve governance and improve oversight.

CHAIRMAN GROUT: Before we do that we would have to have a request from the Coordinating Counsel to have that happen, and then this body would have to approve that. It would have to be a willing marriage of the two entities.

DR. DANIEL: The majority of our discussions centered around the guidance documents that Mr. Chairman will review here shortly. That concludes the Executive Committee report.

CHAIRMAN GROUT: Any other questions for Louis? Okay, thank you.

HABITAT COMMITTEE REPORT

We'll move on now to the Habitat Committee report; Jake Kritzer will be giving the report, and you'll notice in your briefing materials there is a white paper on habitat bottlenecks in fisheries management. That will be something we take action on if we so desire.

MR. JACOB KRITZER: Let me echo Mr. Daniel's congratulations on your election, I think. I am Jake Kritzer, the new Chair of the Habitat Committee. I have prepared a report that covers several topics we discussed in our meeting on Tuesday, including some of our accomplishments from 2015 and some of our plans for 2016.

My understanding is the board is going to take action on our habitat bottlenecks white paper. I'm wondering, Mr. Chairman, if you would prefer that I go through the entire report or go through that section and pause. I started off with the habitat bottlenecks to make sure it gets adequate time.

CHAIRMAN GROUT: Why don't we go through that first section and then pause?

MR. KRITZER: Okay, we now have a full draft of this habitat bottlenecks paper. It is something we envisioned as being a "living document." In other words it will be updated and evolve fairly regularly through time. That is partly because there are still some discussions we're having as a committee about some of the key concepts and their implications, and also we have a section on case studies that there is some interest in expanding in different ways.

We envision this as something that will continue to evolve as a result of discussions within the committee and between the committee and the board. The definition we've come to, at least the working definition for a habitat bottleneck I'll read out is, define as a constraint on a species ability to survive, reproduce or recruit to the next life stage that results from reductions and available habitat, extent and/or capacity and reduces the effectiveness of traditional fisheries management options to control mortality and spawning stock biomass.

What is important here is that we envision a bottleneck as being some kind of a nonlinear constraint on productivity as a fish stock. In other words, changes in habitat that result in sort of incremental declines in productivity are not what we're envisioning as a bottleneck. We're envisioning changes in habitat that incur very sharp changes in productivity.

This figure taken from a paper, a 2010 paper by Swift and Hannon on habitat thresholds, and habitat threshold is arguably synonymous with bottleneck, tries to illustrate this concept. In all three of these figures, which are really just different ways of showing the same concept; the X axis shows percent to habitat cover as a measure of habitat availability and quality.

Then the Y acts as some kind of ecological response; whether that is mortality, growth, recruitment et cetera. What this is trying to show is that you can have conditions where over a range of habitat conditions there is not much of a change in that life history response, but you can get to a point where there is a sudden drop. It is at that point that we might expect the fishery management strategies to start performing much more poorly, because we're starting to violate some of the equilibrium assumptions of the model.

What we're trying to do in this paper is define this concept and start to identify instances where this occurs. Now something important to note here is that this idea of a habitat bottleneck is something that can be time dependent, so you can have a bottleneck that does not occur for a given species at one point in time. That does occur later on as a result in changes of the habitat. It might not be a sort of innate and inherent property of the species and its ecology.

A few examples we included in the paper, for American lobster there is evidence that drastic increases in mortality occur when water temperatures cross 20 degrees Celsius. There is also evidence that as a result lobster tend to move much further offshore. This has been seen quite strongly in the southern New England region, and that can change both the productivity of the stock, but also its availability to the fishery.

For both summer and winter flounder, when hypoxic conditions set in nearshore spawning grounds, so when dissolved oxygen levels drop below 5 milligrams per liter, there have been noticeable and drastic declines in the growth of juveniles. The studies that we looked at, I don't believe they examined mortality of those juveniles, but generally, especially at the juvenile stage, it's a strong correlation between growth and mortality. These hypoxic conditions can start to set in pretty significant juvenile mortality.

For horseshoe crabs, the species spawns on beaches that have to have certain conditions that make them of high quality for the species. Beaches exist as a fairly thin ribbon along the coast, obviously, and are quite vulnerable to erosion, sea level rise, development et cetera. This might be one that actually is a somewhat inherent bottleneck for the species, especially because they seem to show a fair degree of fidelity to their natal spawning beach.

If that beach is loss then reproduction might be compromised. Finally the last one included for Atlantic sturgeon is dams. Now this is also a bottleneck at the local level for other diadromous species, but we highlighted sturgeon because they tend to spawn in fewer rivers along the coast than things like the alosine and American eels. We also noted in the paper that dredging can create habitat bottlenecks for sturgeon; it creates sort of pulsed plumes of sediment that can impede migration and affect life history traits.

Those are some of the examples we included. We actually had some discussion about whether we should include an example of a species for which we don't think there is a habitat bottleneck; at least at present, sort of the counterpoint to illustrate when we don't see this as a factor. Again that doesn't mean that for those species habitat is not important, and it doesn't mean even in these examples that other aspects of habitat are not important; that these more incremental and linear changes can certainly affect the productivity of the species and therefore affect the fishery.

But what we're really try to do in this paper and with this concept is highlight those really sharp, sharp jumps, and particularly the jumps that could cause stock assessment models and fishery management strategies to fall apart. I think that is all I have on habitat bottlenecks, so if you want me to pause and take any questions, Mr. Chairman, I would be happy to do that.

CHAIRMAN GROUT: Any questions for Jake? Go ahead Bill, and then Jake.

MR. ADLER: This is more of a, well, it is a question. The picture you have on Page 8 of the gull eating the horseshoe crab eggs brings to mind the idea of; when any bird eats the egg does that kill the crab? Does anybody know?

MR. KRITZER: Well, it kills the eggs, but is the crab still alive?

MR. ADLER: It kills the eggs, but is the crab still alive?

MR. KRITZER: I believe the crab survives. I'm not a horseshoe crab biologist, but I am seeing a lot of heads nodding yes; so I guess they survived that pretty well.

MR. ADLER: Okay, the picture brought it back, the laughing gull here.

MR. KRITZER: On that question though, we did discuss other types of bottlenecks that aren't true habitat bottlenecks but that we may or may not want to include in this discussion. Some of that had to do with management actions; others might have to do with changes in the predator field. That was another point where we haven't fully resolved.

MR. JASON McNAMEE: My question I guess, I was thinking as I was reading through this, I was thinking about some of the work that John Hare and John Manderson have done, and that was the first time I've seen habitat work where I saw that direct connection between an analytical type element that could be directly integrated into modeling frameworks.

As I was going through the white paper, I see these functional responses in one of your slides that was also in the paper. I guess my question to you is, did the habitat group that worked on this, are they seeing this as sort of an external module that gets used outside to kind of inform management after the fact; or do you see this

as something that can be directly integrated into a modeling framework that can be run simultaneously with all of the other processes in there?

MR. KRITZER: That's a good question. I think the answer is yes and yes. I didn't go through this at the beginning, but our motivation for first picking up this concept and eventually writing this paper, I think, was twofold. One was the committee, not surprisingly, spends a lot of time talking about habitat and management issues.

There are many of them out there. We spend a lot of time trying to prioritize those, trying to make recommendations for management actions inside and outside of the fishery management arena. I think we saw this as a way, not the end all be all, but as one contribution to that prioritization process.

The other motivation, though, was what you articulated, We've had some discussion about working more closely with the stock assessment teams and looking for ways to incorporate habitat affects in a quantitative way into the assessments; and therefore into harvest management strategies.

We decided well, you would know this as well as anyone that is a pretty heavy lift. These assessment models are complex enough as they are. What we would need to do is try to find those instances where habitat was having a really significant effect on productivity, where the model was at risk of falling apart for not including it. That was a major motivation; looking for ways we could work more closely with the assessments.

CHAIRMAN GROUT: Further questions? **Seeing none; we need a motion to approve this document for use by the commission. Made by Bill Adler, do we have a second; Tom Fote.** Discussion on this? Is there any objection to approving the motion? **Seeing none; the motion is approved.** Jake, finish the rest of your report.

MR. KRITZER: I'm just going to highlight a few of the things we've accomplished over the past year, in addition to completing a draft of this bottlenecks paper. We are nearly done with our Sciaenid Habitat Source Document. This is a document that covers the six sciaenid species managed by the ASMFC, and we've also included within it southern, northern, and Gulf king fish. We know those are not managed species, at least by the ASMFC as yet, but we wanted this to be a more comprehensive document on harvested sciaenids in the region.

All this is waiting for is a draft of the introduction and then a review of the full document by the Habitat Committee. As I mentioned it includes the kingfish species. This is the second multispecies habitat source document that the committee has produced, following our diadromous species document in 2009.

It prompted some discussion at our meeting on Tuesday about ensuring that we do have some kind of a comprehensive source document for all managed species. At present, we have something like this document for the sciaenids now, or soon for the sciaenids and for the diadromous species.

We also have one focused on lobster. Other than that the habitat information we have is primarily the habitat fact sheets and the habitat sections of FMPs, which are both informative but not comprehensive. We agreed that we should make sure we have some kind of a comprehensive source document for all managed species, and that we also need to start distinguishing the source documents from the rest of the habitat management series, which focuses more on management measures; impacts on habitat, mitigation measures, et cetera.

These source documents are envisioned to be primarily just comprehensive reviews of the science of habitat needs by different species. We're nearly complete with our 2015 addition of habitat hotline. The topic this year is impacts of energy development on fish habitats. This was a purposeful follow on to our 2014 edition, which focused on impacts of climate change.

The way we sort of framed this new edition is that last year we talked about how climate change can affect fisheries and the effects are real and important. One of the strategies for dealing with that is development of alternative energy sources to reduce the O2 emissions, but that can also affect fish habitat.

We want to make sure that in solving one problem we're not creating an even bigger one. This was kind of trying to look at two sides of the same coin. Final drafts are due from all the authors of the various articles next week. Following layout, et cetera, we expect publication late this month or at the latest early in December.

This year for the first time in a while we revisited all of the habitat fact sheets, I've put up one of the examples just to remind you of what these are. These are meant to be shorter summaries, more assessable to nontechnical audiences and enabled to be more widely disseminated. We went through all of them and looked at the current content and made sure there were no major updates needed.

I think there were some minor updates to a few of them. With one exception that was American eel, which we had some questions on. We'll get to that in a moment. We talked a bit about updating these fact sheets going forward, and we agreed that these probably won't need very regular updates.

These are meant to be summaries and that it is only when some major new finding emerges that we might need to revisit these, so that we would get to them when that information occurred. Although we did agree when we tackle the habitat section of each FMP that would be a time to do a more dedicated review of these fact sheets; to make sure they are consistent with one another.

With eels, when we looked at the literature on habitat and eels we found that there are some interesting new genetic studies that have come out. There have been genetic studies that existed for a while that show that latitudinal patterns in genetic structure show pretty random mixing. It is a panmictic population.

But these newer studies show that if you actually look at the genetic structure along the upstream/downstream gradient or watershed, you start to see patterning; and that suggests that there might be genetic basis for different life history strategies that compel certain eels to stay further down or go further up into a watershed.

We asked the question about whether that should warrant some consideration of changes to habitat and/or harvest management strategies. We didn't answer that question; we just kind of put it out there. My understanding is there has been some discussion at the American Eel Board of trying to identify less productive watersheds that might be differentially managed from the more productive watersheds.

I may have that wrong. I haven't been terribly involved in eels lately. But we discussed basically that there are several things going on in the eel world, including these questions; that might warrant some kind of a review involving members of the Habitat Committee and other bodies on the spatial dynamics of eels, and trying to better characterize those and discuss management implications.

We also thought though that this information on eels might shine a light on similar issues, similar findings with other species. The topic of genetic behavioral and life history diversity in

managed species, and how those link with habitat availability is one of our candidate topics for next year's edition of Habitat Hotline.

This is my final slide, just a quick overview of some of the highlights of our 2016 work plan. We do need to select whether it is that topic I just mentioned or something else, for Habitat Hotline 2016 and publish it. We are going to be working on revisiting the habitat sections of the FMPs for Tautaug, northern shrimp, and menhaden. We've been working on a volume for the habitat management series on aquaculture for a couple years now, and it is time to wrap that one up and then choose our next topic; that may or may not be completed within the next calendar year, depending upon the scope of it. We're interested in, perhaps at our spring meeting, meeting with some of the ASMFC communication staff to discuss some of the Commission's communication strategies, ways that we could track and improve the reach of the Habitat Committee across the ASMFC world.

We spent some time discussing communications and our effectiveness, and then kind of realized we're a bunch of science geeks with no background in communications whatsoever, and if we're going to have this discussion in a meaningful way, we should probably bring in some experts.

Finally, as I mentioned earlier, we think it is important to compile habitat source documents for all managed species, reorganize the web page so that those stand out, and make sure that that portion of the website serves as the go-to for habitat information for all managed species; and that concludes my report.

CHAIRMAN GROUT: Any questions?

MR. FOTE: Not really a question, but a comment. Because the Executive Committee was at the same time and I decided with Brandon here I didn't need to be here, so I basically went to the Habitat Committee meeting for the first time in a long time, and it brought back a lot of old memories. We're trying to find out - I can't remember and that's hard when you can't remember some things.

But I think we started the Habitat Committee in either '91 or '92, and I would like to find the year when we did that; because we might be coming up on the 25th anniversary of the Habitat Committee. When we first started Habitat Committee it was governor's appointees, legislative appointees, and state directors all sitting around the table.

It was the first time that we really sat as a committee together with the governor's appointees, the legislative appointees, and the state directors all on the same side,with the same power. The northern shrimp section and Atlantic herring section, we did have a vote; but really the Habitat Committee was the second place.

It was also interesting, because the chairman of the committee was on it, Senator Owen Johnson, Doc Gunther, and later Lance and Bill when they came on as commissioners. It was Al Goetze pushing me, because he had been on the Habitat Committee in the Mid-Atlantic. To get a little shorter, I'm thinking if we're coming up on a 25th year, we should be looking at putting on a special event for the Habitat Committee.

Since it was started with the Mid-Atlantic Council, maybe it would be nice to pull the three habitat committees of the three councils together; and put kind of a really works, like we did the first time that we put one on. We invited the Army Corps of Engineers in; we invited the Department of Interior, and we invited a few of the federal agencies to see if we could work together.

I mean, with the problems with sand mining right now, and with also bringing these big ships in where we're going to start cutting deep channels in on a lot of the rivers and everything

else, and destroying fish habitat. It's maybe time to bring those agencies to realize how do we mitigate the damage you're causing to fish habitat in those streams, rivers and everything else you're going to be dredging? Just a thought to throw out, and I'm kind of thinking maybe the Habitat Committee should look at what they're going to do for their 25th anniversary.

CHAIRMAN GROUT: We'll consider that idea for the 25th anniversary and the 75th anniversary of the Commission.

DR. WILSON LANEY: Thank you, Jake, for that great report. I did just want to acknowledge with regard to the Sciaenid Habitat Source Document that the kingfish contribution was made by Chip Collier, who is one of Louis's former staff members who now works for the South Atlantic Council.

We owe him a debt of gratitude for, I think, massaging some portions of his PhD dissertation into that section of the document. Then just to chime in on the genetics, I know that is something that isn't discussed a whole lot around this table; but it is one of the things that I've been trying to think a lot more about lately.

The fact that not only do the fishery management institutions, the councils and the commissions have a responsibility to think about things like allocation, for example, but age structure of populations and population size and targets and thresholds, and all those sorts of things. But we also should be thinking more about the fact that we do have a responsibility, I think, for conserving the genetic diversity of these stocks. I think it is a topic that merits a lot more discussion in the future.

MR. McNAMEE: I'm going to jump back just for a second and say thanks for the report, Jake. I got focused on my question. I enjoyed reading it and I appreciated that. Thank you for that. On your work plan, specifically, you've got completing habitat sections for Tautaug and menhaden - two that are particularly interesting to me.

I wonder, these sections tend to be - I think you guys are going through just updating, making sure they're up-to-date in a sort of descriptive way. But you've got a panel there of experts, and I would be interested if you guys could take that one step. This is a suggestion; I'll cloak it as a question.

Would it be possible for that group to kind of look at these and then take it another step further and add in suggestions of how they think some of that information might be applied to the analytics, or if not to that level; to potentially give a suggestion that rocky habitats are being degraded in estuaries and you should account for that; or more general? But just kind of link it in with some of the management considerations. I think that would be really valuable to get that expert opinion from that group.

MR. KRITZER: I think it is safe to say there is quite a bit of interest in going in that direction. Whether the sections in the FMPs are the right place or not, I'm not sure, it might be. But I think our committee was trying to show a certain amount of humility to the stock assessment scientists and not overstep our bounds in telling you guys how to do your job. Recognizing that, as I said earlier, it is not trivial to make these changes, parameterize them, do the model diagnostics, et cetera. I think there is a lot of interest in moving in that direction, but what we see it as something that will require pretty close collaboration with the modelers. We had included within our 2016 work plan, I forget the original wording, but it was something to the effect of meeting jointly with the Management and Science Committee and talking about more quantitative integration of habitat metrics into assessment models.

We softened the wording on that because it requires the buy-in and availability of those

folks as well. But I think generally it is quite safe to say that there is a good deal of interest in moving in those directions. We're sort of looking - in some ways we're looking for the stock assessment scientists to reach out to us and say, come to our table.

MR. ADLER: I just want to say, after spending a few years on the Habitat Committee and actually being around some of those earlier, as Tom was talking about, of its formation. I think it is important to note how far it has come and how it really has matured into an effective and important committee for this Commission.

I thank Jake for a great presentation. I also want to say that notwithstanding the fact that Tom and Pat have made Joe a lot of money over the years. Tom's remark just now about this 25th Anniversary and how we might celebrate that in a very productive way, I think are fantastic; so I hope we give that a lot of consideration.

CHAIRMAN GROUT: Thank you, any other comments or questions?

DR. LANEY: I just wanted to mention that I think with regard to the next iteration of the weakfish assessment, we are kind of moving in the direction of beginning to incorporate some environmental considerations in that model. Dr. Drew may want to say a word about that. But I think we're already moving in that direction.

When Mr. O'Shea suggested a number of years ago that we start looking into the habitat bottleneck issue, you know weakfish was one of the ones he suggested might be a potential candidate for that. Again, I think, as Jake said there is a lot of interest in incorporating environmental variability and environmental limiting factors into stock assessment models. The trick is making sure that we have a relationship between the stock and the variable in question that we can demonstrate so you can model it effectively.

MR. KRIZTER: I just wanted to add my voice to Bill's in endorsing Tom's idea. I also wanted to mention that the comments Tom made at the beginning of our meeting kind of on the history and evolution of the Habitat Committee. Several members said over lunch that those were really appreciated and really informative. I just wanted to offer public thanks, Tom, for joining our meeting and making those comments.

DISCUSS REVISIONS TO ASMFC GUIDANCE DOCUMENTS

CHAIRMAN GROUT: Anything further on this agenda item? Seeing none; we'll move into the next agenda item. The Administrative Oversight Committee and the Executive Committee have been looking at the Charter, Compact Rules and Regulations, Appeals Process, and a variety of the documents to look at potential updating of the documents; based on the fact that some of our current practices may not be lining up with what is in those documents.

The purpose of this right now is just to inform you. We're going to have a full document in your briefing packet for the February meeting. At that point we'll be making a decision on whether we make the changes that we're recommending here. But I wanted to give you sort of a brief oversight right now so you could think about it between now and February.

MR. ABBOT: Just to inform the members. The AOC met for several hours by telephone back some months ago on these matters, and we've also spent a great deal of time in the last two Executive Committee meetings over these matters, so there has been a lot of thought and discussion put in by both the AOC and the Executive Committee to come to not any conclusions, but recommendations to the Full Commission.

MS. TONI KERNS: I'm just going to give the Executive Committee recommendations today, but Dennis is correct, there were also AOC

recommendations to the Executive Committee. The first issue is looking at appealing noncompliance findings. There was a recommendation after a review of a striped bass noncompliance finding to look at the ability to appeal a noncompliance finding.

The Executive Committee is recommending to the Policy Board that a state's ability to appeal a noncompliance finding, to remove that ability to appeal a noncompliance finding from the Commission guidance documents. The rationale for that is because within a noncompliance finding there are laid out time periods in which a state has the ability to discuss with the board, as well as discuss with the federal services on the issue that they have been found out of compliance for.

It is built into the process already, which would be separate from a regular appeal process through other types of documents like FMPs or an action that has been taken by the board. The second issue is looking at the definition of a final action. The Commission has been making some changes over time on what it means to be final action.

We now do roll call votes for final actions, in order to be as transparent as possible to the public. The Executive Committee is recommending the following be final actions. The setting of fisheries specifications and specifications could include, but not be limited to quotas, trip limits, possession limits, size limits, seasons, area closures, gear requirements as well as allocation, the final approval of FMPs, amendments and addenda, emergency actions, conservation equivalency plans; as well as noncompliance recommendations.

Issue 3 is looking at amendment and addendum processes. There are a couple of recommendations for this. Right now in our guidance documents in the Charter, we have specific time periods for the draft amendment portion of a document or a draft FMP. But there are no time period requirements when we go out for the public information documents.

The Executive Committee is recommending the same time period for the PID as we do for the draft document. That means that the document has to be out for 30 days prior to the first hearing, and then the document needs to be out for 14 additional days after the last hearing. For addendum, we don't have any timeframe in which we are required to have the document out.

Typically, we try to practice at least a minimum of 30 days. The Executive Committee is suggesting that the Policy Board institute a 30 day public comment on all draft addenda. Next is the advisory panel input during FMP and amendment development. The Executive Committee is recommending that the advisory panel give comments on the draft PID while the PID is out for public comment, so looking for further recommendations on their preference for issues that are contained in the PID. The second time we would look for comment from the advisory panel is during the development of the draft FMP, and this is just to get information from the advisory panel on whether or not the document contains all the information that it needs, all the different types of options before it goes out for public comment.

Not trying to get their comments on the actual options in the document, but just to make sure it contains everything we need to take out. Lastly is to get the advisory panel input during the public comment portion of the draft FMP, and that is where we'll be looking for their comments on the actual options in the document.

We will do our best to hold the last meeting of the advisory panel after all the public hearings have occurred, so that the advisory panel can hear what happened at the public hearings; there may be times when that is not possible. All these meetings will not necessarily always

be in person, some of them would be via phone call.

The next issue is looking at TC decisions and Commission staff participation on committees. The Executive Committee is recommending to the Policy Board that TCs continue to strive to find consensus whenever possible. We're working our hardest to get at consensus first, but if the committee cannot find consensus, then that committee should vote on the issue; and just the count should be reported back to the board, not who voted which way, but just the number in favor and the number against.

If anybody in the minority wanted to put together a minority opinion then they could do so. That person, whoever put together the minority opinion would have had to vote in the minority. The same standard voting policy would also apply to the stock assessment subcommittees. Then the second part of this is looking at staff participation on these committees.

The Executive Committee is recommending to the Policy Board that the science staff at the Commission is fully involved with the conduct and the analyses and deliberations of technical committees and stock assessments, meaning that they can be committee members. If consensus can't be reached within the TC, the science staff will not participate in the vote on technical committees; but they could participate in the vote if a stock assessment subcommittee could not reach consensus.

Issue 5 is looking at commissioner attendance. The rules and regulations have some stipulations on how the Commission is supposed to inform a state when a commissioner does not show up for commission meetings, in particular when it's two meetings in a row. The Executive Committee is recommending we make some changes to that language in that the state's Executive Committee member be notified in the event that there are repeated absence of a commissioner.

The Executive Committee member would then work with their state officials to determine what type of action, if any, should be taken. Looking at the appeal criteria, the Executive Committee is recommending to the policy board that no action be taken to change the current appeal criteria in the document. Then looking at the definition of a two-thirds majority vote, there had been some discussion on how two-thirds majority votes can be impacted when there are abstentions from a board; in particular when the services abstain, because a two-thirds majorities vote is the complete voting membership of an entire board, regardless if states or commissions are present. The Executive Committee is recommending to the Policy Board that a two-thirds majority vote will be defined by the entire voting membership. However, any abstentions by the federal services would not be considered when determining the total number of votes.

That meaning that if a federal service abstained then the number of total voting members would be reduced by one or two, depending on if both services abstained or not. Issue 8 is looking at the AP, LEC, and TC participation at board meetings. This had come up just in particular from advisory panel chairs participation at board meetings.

There are times when some of the advisory panel chairs would give their personal opinion on an issue rather than the advisory panel's opinion on something, and it at times could be confusing to the board or the public whether or not that was an opinion of the whole advisory panel or if it was the opinion of the individual.

The Executive Committee is recommending that AP chairs present the report and answer any specific questions relevant to the report to the board, just as they always do; and that the chairs may not ask the board questions or presents their own viewpoints during board

deliberations. If the AP chair has additional comment that they want to make that is of their personal opinion, then that AP chair must move to the public microphone in order to do so, instead of doing it from the front of the table.

Then if there is no advisory panel meeting or conference call between Commission meetings, then the Commission would not reimburse that advisory panel chair to come to the Commission meeting. Issue 9 is looking at council participation on management boards. The three fishery management councils can be invited to be a voting member of any management board. If there is more than one council that is interested; then the councils have to decide who would be the representative of the councils to participate in the board.

Questions came up, if a species board looks at more than one FMP should the board identify what species that council member should be voting on; or should that council member vote on all FMPs? The Executive Committee is recommending that if a council has been invited as a voting member of a board that manages multiple species, the board will designate which species can be discussed and voted on by that council representative.

When the letter of invitation goes out we'll say which species we're looking for participation. Lastly, there has been some trial uses for how we get public comment and feedback. We've been investigating using web based public hearings, as well as online public comment surveys. These web based hearings and these surveys would not replace in-state public hearings.

But it is just another way for us to reach out to the public and get feedback and comment from them; and trying to get more of the public involved in our Commission documents. The Policy Board hasn't made any specific recommendations on this. We're going to continue to explore and let them give information on how we think we could use them, and they'll provide feedback to us in February.

CHAIRMAN GROUT: Okay as I said, we're not going to be taking action on this. This is just more for your information right now. Are there any questions or comments you feel you need to make right now? I'll go with Bill Adler, and then I'll move right down.

MR. ADLER: Toni, you had one thing that was on two-thirds majority of the entire voting membership. When you say entire voting membership, I think you probably mean that if there is one person from a state, you don't have to have everybody there to vote on things. That is one question I had. On the council, a member of the council voting on a species, does that mean that person would be sitting on that particular species board and voting on any issue that that board brings up at that time, or a specific topic on the agenda?

CHAIRMAN GROUT: The answer to the last one was the committee's recommendation is if we have multispecies management boards, and the example is lobster and crab, and we've invited the New England Council to participate in the Crab Management Plan. They would not be voting on anything related to lobsters.

But anything related to the Crab Management Plan they would be able to vote. What was your first question again? Oh, one person. Yes, if there is only one person from state then what we're talking about voting states. If there is only one person from a state, you've still got the voting member there.

MR. ADLER: If I could, I apologize, I had to walk out of the room for a second; when I came back in you were talking on final action items. The only thing I missed on that was what would be the change from the current way we do things on that particular issue?

MS. KERNS: Bill, it's just an addition of things that we actually consider final action. Currently, our final action is approval, so right now the establishment of quotas, allocations, approval of FMPs, amendments and addenda, emergency actions and noncompliance recommendations are considered final action.

We've added the setting of fishery specifications, and conservation equivalency plans. I think that is everything that we added. Final action we do roll call votes to keep transparent for the public, and let folks know how the different states are voting. It is just the addition of those couple things.

CHAIRMAN GROUT: The issue here was that there were inconsistencies between the charter and the rules and regulations, and we were just trying to link the two together to make sure they're covering the same issues.

MR. DAVID V. D. BORDEN: I think those changes are all well advised, but I just have a quick question. The councils have a written policy on taking action on issues that is not on the published agenda. I guess my question is, do we have such a policy? I think the answer to that is no. If that is the case, then I think we would be well served by having the Commission leadership develop such a policy, and include it with this package. I defer to the Chair on how he would want to do that if it is necessary.

CHAIRMAN GROUT: Okay, thank you, we'll consider that between now and the next meeting.

MR. FOTE: Issue 9 is the one I have a real problem with. We have joint boards with the Mid-Atlantic Council, and we have joint plans that we basically sit on, and we get to vote and we have a policy on how to do that. Bob attends, I think all three councils, but he sits there as an officio member if I'm not mistaken.

He has no voting rights in any of those things. We didn't get a vote when the New England Council basically did the 5,000 pound trip limits on winter flounder which we strongly opposed it that time; a lot of the New England Council members, because the state directors sit on this body.

I'm not sure that we need an extra voting member sitting at the table from the council, or if we're going to do that, then maybe they should invite us to listen to their plans like winter flounder that we have a vested option in. We could have the same thing with the South Atlantic and the Mid-Atlantic that we could sit on that board and have a vote on species that are affecting us.

I have some concerns here and whether we're going to do a quid pro quo about this; otherwise, I don't really support them sitting on. We invited the two agencies a long time ago. We've had our ups and downs on whether they should be here or not.

We've had some motions over the years of some people might now remember that we asked them not to vote. I really have a hard time. We're here as commissioners, and as I said, we have strong representative from the New England council. Doug, you're a member, Terry is the Chair. I don't see why we need the extra people.

CHAIRMAN GROUT: Any other questions for right now on this issue? There will be briefing material in your briefing packet for February, and we'll be taking action on these items.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Just to let folks know, in the briefing materials for this meeting for the Executive Committee, most of these items were actually in two different memos that the Executive Committee reviewed. Since you guys obviously don't have copies of the slides here, if you want to refresh your memory between now and the February meeting of what all these issues are, most of those are in those two memos that are in the briefing material for this meeting.

REVIEW COMMITTEE OVERSIGHT FOR MULTISPECIES TC AND BERP WORKING GROUP

CHAIRMAN GROUT: All right Toni, MSTC BERP Committee structure.

MS. KERNS: Just to refresh everybody's memory, the Multispecies Technical Committee is a committee that reports back to the Policy Board. The Biological Ecological Reference Point Committee is a spinoff of the MSTC, so that committee has been reporting back to the Policy Board. Staff has been talking with Policy Board leadership as well as the Menhaden Board leadership in trying to figure out what is the best way to have the Biological Ecological Reference Point group report out to Boards.

Leadership thought because the BERP Committee is dealing mostly with menhaden issues that it would be best if that committee reported out to the menhaden board instead of the policy board. We just want to make sure that this is something that would be considered okay by the Policy Board if we changed that structure.

CHAIRMAN GROUT: Any discussion on this? Is there any objection to having the BERP report directly to the Menhaden Board? Seeing none; we'll make that change.

LAW ENFORCEMENT COMMITTEE REPORT

CHAIRMAN GROUT: Next we've got Mark with the Law Enforcement Committee report.

MR. MARK ROBSON: At the August meeting, you requested that we provide some information regarding various state regulations dealing with landing in whole condition. I just want to remind you of that; that we provided that summary of the various state regulations. It was in your briefing document, and I believe there is a hard copy also at the table.

I won't go into all of the various permutations, because there was a lot of variation from state to state in those regulations. Some of them are fairly complex. In general, most of the regulations try to emphasize landing in whole condition. However, in each state there are some exceptions, sometimes they may require that the head and tail be landed intact.

There may be some specific requirements that the fish be measurable if there is a minimum size requirement. One state at least has a requirement that skin remain attached to the fish. There are a variety of different scenarios that you might encounter. I just refer you to that document if you would like to peruse that. If you have any further questions or want more insight or input from the LEC, we certainly would be happy to review that with you as a body.

I'll brief you quickly on our Law Enforcement Committee meeting that we had all day yesterday. It was, I think, a very good meeting. You may know that it was a joint session with the Law Enforcement Committee from the Gulf States Marine Fisheries Commission. We took the opportunity while we were here in Florida to do that and I think that really helped, certainly with information exchange and some pretty good discussions about things that the various states are doing.

But with regard to your ASMFC LEC, there were several species issues that I'll bring up that we're working on, on your behalf. First, with striped bass, we have had a request from staff to begin preparing information for you to incorporate into your Compliance Report for the 2015 fishing year.

We had a discussion about that and laid out some of the information that would be needed to look at that report, specifically dealing with the recent changes that were made in the regulations for striped bass, and to see how our enforcement branches are viewing the understanding and adherence to those changes that are out there on the water.

With Tautaug, I think if you were on the Tautaug Board Meeting you know that we had a Law Enforcement Subcommittee which was made up of four members of the LEC, and several members of the Tautaug Management Board to talk about some of the enforcement issues with that fishery, particularly focusing on the live harvest of fish and tracking that live harvest.

We provided a written summary of the subcommittee meeting notes from a conference call, and I believe information was presented at the Tautaug Board meeting, so I won't go into that in detail. But in follow up to that and the Tautaug Board meeting, we are going to continue to work, I guess, with that Law Enforcement Subcommittee through the LEC to flesh out some of the issues and possibilities surrounding the type of tagging program or protocol that might be looked at for that fishery to try to uncover any enforcement issues or concerns that there might be with such a tagging program. In addition to that, we know that down the road you're still looking at some regional management options for the Tautaug fishery. I think as a body the LEC would be able to provide you their recommendations about that regional management strategy. We do that in the future as you prepare that addendum.

For American eel, Mike Waine from staff came to the LEC meeting yesterday and reiterated to the LEC their interest, or your interest in keeping up with what is going on with glass eel fisheries, and particularly any enforcement issues in the various states where it seems to be occurring.

There was a pretty good consensus, I think, in feedback to Mike that certainly the Maine program has been working well. They've seen a reduction in cases or evidence of illegal activity. But law enforcement is a very cautious group, and so we also reiterated that we need to keep our eye on this fishery and particularly any export issues or continuing efforts to illegally harvest and move some of those glass eels around.

With regard to horseshoe crab, I'll mention that because it was one of the items on our Joint Law Enforcement Committee meeting. It is a fishery that does occur in both the Gulf of Mexico and the Atlantic states, of course. We had a very good discussion about the different types, particularly the bait harvest and then the biomedical harvest.

Kirby Rootes-Murdy from your staff was able to give the LEC a really good briefing on some of the basic management and research issues surrounding that fishery. In the past we've had Law Enforcement Committee members who have expressed an interest in occasionally hearing some of the background and management issues with your fisheries.

It is particularly relevant, because we've had a pretty good turnover in the LEC, so we have a number of new members. I think they benefited from hearing some of the basics of that fishery; not just talking about the law enforcement issues. As you know, we also take part and participate in the ASMFC Action Plan, particularly for Goal 3, which deals with a lot of enforcement tasks and strategies.

Every year we try to work through that and update it and add new tasks if needed, or as you direct. We did that. There were a number of changes or just modifications; tweaks if you will, to existing tasks that we have. You know a number of these things that we do are kind of ongoing from year to year.

But every year there are also new assignments and tasks that you provide us. This year we're going to probably be doing a little bit more work on reviewing some of the compliance issues with fisheries related, for example to Atlantic striped bass or Tautaug, American eel, and then of course the Jonah crab fishery to try to help assess, particularly where there is a new

fishery regulation or a change to assess those compliance issues as we see them in the field.

We also added one new action item this year, or task; again, at your direction and discussion, to take a look at the enforcement needs for the offshore areas for the American lobster fishery, particularly for Zone 3. I know that there had been expression to kind of look at that and see if there are any limitations or concerns with regard to enforcement capabilities in some of those offshore waters. We've added that as a new task for the Law Enforcement Committee, and we're going to be getting to work on that right away. Getting back to the joint meeting with the Gulf States, I just want to reemphasize how productive I thought that meeting went. I think the members really appreciated being able to get together and share information, and also discuss some issues related to how different things are enforced; and whether there is consistency or inconsistency, particularly with regard to how state and federal waters enforcement is coordinated.

I think we had some really helpful discussions. We talked about a number of different things that are of joint interest, such as aerial enforcement needs and benefits, enforcement of licensing in federal waters, and how that is done and whether that is consistent. There is going to be some follow up on that I think with our federal partners.

We also reviewed, through a survey that we took among ourselves, the status of different recruitment, hiring and retention issues for the various state and federal agencies for law enforcement officers. A number of states have had some problems recruiting good qualified candidates for field officer positions.

We shared a lot of good information about what works and what doesn't work, in terms of that effort. I would like to kind of reiterate our thanks for being allowed to meet with the LEC from the Gulf States. I thought it was a very good meeting. I would like to thank the LEC and staff from Gulf States for their participation, and I think it was a very good meeting.

It was well attended. Then just a final note, I don't know how many of you had a chance to see that vessel that was out in the parking lot; that law enforcement vessel from Florida here. It is a good indication of the kind of resources that can come to bear, especially when you have some serious offshore work that has to be done far from the coast.

But just as a personal note, I had an opportunity to have lunch yesterday with some of the uniformed officer crew from that vessel that were here. I don't know if any of you had a chance to meet them or say hello, but I was more impressed with those uniformed officers really than even that vessel. It gives you a good feeling when you meet some people that are so professional and dedicated; and that is the end of my report, Mr. Chairman.

CHAIRMAN GROUT: Thank you, Mark, having this joint meeting is very beneficial. It is too bad we can't do this more often. I guess once every 15 years is pretty good. Any questions?

PROGRESS REPORT ON THE ATLANTIC STURGEON STOCK ASSESSMENT

CHAIRMAN GROUT: Okay, thank you, Mark, and we'll now move on to a report on the Atlantic sturgeon stock assessment by Katie Drew.

DR. KATIE DREW: I think the stock assessment is continuing. We're still working on this. I think the biggest update since the last time I talked to you is that we've begun the process of reaching out to the people conducting acoustic tagging programs up and down the Atlantic Coast for sturgeon, which is both a tremendous source of data that we're really excited to work with for this assessment.

But it's also very difficult to make sure that we have everything, because it is spread out among

so many researchers, many of whom are academics who generally don't work with the Commission. We've put a lot of effort into making sure that we're as specific as possible in terms of what we want from them and how to receive it, as well as allaying concerns about how this data is going to be used in any potential publishing conflicts or things like that. So far, the people that we've been in contact with who have responded to us have been positive about sharing the data. Hopefully, that trend continues and we can have access to as much of this really great data source as possible to use in the assessment.

We're also working on, obviously, updating the conventional tagging database so we have access to that; and that is a fallback position, but to supplement the acoustic tagging as well as continuing the work of the Genetics and Bycatch Subcommittees.

CHAIRMAN GROUT: Any questions for Katie? We have one other agenda item under other business, and that is that the Striped Bass Board made a motion, asking for another updated stock assessment to assess the immediate impacts of the Addendum 4 measures. Because this was not part of our stock assessment plan, we're going to need the support of the Policy Board to move forward with this change.

MS. KERNS: Mike, if you can throw up the stock assessment schedule, just so the Policy Board can see what we have on the docket for 2016. Pat quickly reached out to Gary Nelson and also talked with Katie Drew on their responsibilities for 2016 to see if this is something that could fit into their schedule without impacting other species that they're working on, either at home or here for the Commission.

Both said that this is something that they can take on. Most of the work is done by Gary Nelson, and so I think we can do a TC call to look at the assessment update. But there was one thing that Carey put in a couple stipulations for, and I'm going to let Katie address those.

DR. DREW: Right, I think we have two concerns I guess, number one was from a technical standpoint. We're going to be adding a single year of data under a new management scheme. In some cases the new management changed the size limit, so we're talking about possible changes to the selectivity of these fisheries within the model.

With only a single year of data, the question is then how is that going to effect the model's perception of the selectivity of these fisheries going forward? The concern is that adding a single year of data is not going to be enough information for the model to give you a reliable estimate coming out for the 2015 value of F or some of the other parameters that are estimated within the model.

We can give you an answer, but I think we would have concerns about how reliable that estimate is and what is going to happen to that estimate, as we add more years of data going forward under the new management scheme. In general, I think our Technical Committees prefer to have a couple years of data from a new management scheme before we go forward and try to assess the effects of that management; just in terms of getting the most reliable estimate coming out from that perspective.

I think the other thing to consider is that we are currently scheduled for a benchmark assessment of striped bass in 2018, and the Striped Bass Board has asked, and the TC obviously supports the development of a model that is sex specific, if possible, has spatial or stock structure within it, if possible; which is a significant change from the current benchmark model. Any work that we do in 2016 is work that we're not doing on that new assessment structure and data collection for 2018. Those are just two things that we wanted the board to consider when discussing this motion.

CHAIRMAN GROUT: Okay, can we put the motion up on the board? Do you have any

questions for Katie, particularly on those two issues that they brought up here? Yes, Tom.

MR. FOTE: Yes, but some of the issues that were concerns with some of the states looking at the data. It was based on the data with the old size limits, and saying that we weren't in the place that we should have been to do certain things. I'm not looking at how the new regulations affected it. But looking at the retrospective analysis what we basically knew that was happening, and also because the young of the year has nothing to do with the new regulations.

Those points we could look at, at a stock assessment. I'm not worried whether it is one fish or not, because I'm worried about how the effects, because we knew this could happen. It has happened before that we look at it a year later; it says we really didn't need the changes. That is what I was looking at, to see what the stock assessment would say on that point and strictly on that point. I'm not worried about the one year data, because really what I'm looking at is looking back at the data that was accumulated and looking at it with the retrospective analysis.

CHAIRMAN GROUT: You may not be getting that kind of information from an updated assessment.

DR. DREW: I recognize maybe you're not concerned about what F is doing in that 2015 versus 2014, and you're more concerned about what was happening when we put those regulations in place in the first place. I would say, we would be concerned about the potential confounding effects of adding new data to the model when things have changed.

Then you're either adding new data and including that into a selectivity period that doesn't reflect it, or you're trying to create a new selectivity period that the model is going to struggle to estimate what's going on in that new one year of time, and all of these things are connected and that affects the models ability to estimate other things that are happening within the model. Maybe that is not a big deal. Maybe after we add a couple extra years of data, it will turn out that those estimates that we give you next year were fine, the model is stable.

Maybe that extra year of data doesn't make a big difference. But maybe we're going to go forward and find out that adding more years of data really does change that effect; separate from the retrospective pattern that we know is inherent. It is not a big one, but it is there. But adding new years of data that make it more difficult for the model to estimate what's happening is just going to add to that potential problem.

CHAIRMAN GROUT: Any other discussion? Okay Bill and then Terry, then Ritchie.

MR. WILLIAM GOLDSBOROUGH: I agree with Tom's take on it, but I hear Katie, as well. I think the point from the discussion in the Striped Bass Board was that going forward over the next year, we would do well to have as much information about the status of the stock as we can. Then the other point was, I thought I heard the TC Chair, Charlton, say that he didn't think there would be a big impact on the upcoming benchmark. With further consideration, is that not the case now, Katie?

DR. DREW: I think it is hard to say how much of an impact we're talking about. Is this going to push it back a year; probably not? Is it going to push it back a couple of months; well, like I said, any work that we're doing on this is work that we're not doing for the development of this new model. Right now, the data that we have, it goes into the model and it is not sex specific, catch-at-age. It is broken out into fleets as opposed by stocks, so we have to go back and redo all of our data inputs into the model.

I think that was something we were hoping we could start on for this year, in terms of developing that sex specific, possibly region

specific catch-at-age information. But if we have to update all of the other stuff for the assessment update, then that takes time away from that. It is not a huge impact, but it is work that we're not doing right now.

CHAIRMAN GROUT: Follow up.

MR. GOLDSBOROUGH: Okay, thanks for that. Just so I understand fully then. Are some of those structural changes things we would need to do anyway going into the benchmark, given changes in the regimes in the states last year?

DR. DREW: Well, we would be adding a new selectivity period to the model anyway, but that doesn't affect how the data are prepared, it is more in terms of if we want a sex specific model we need to give it sex specific catch-at-age. Right now everything is just pooled together in a single catch-at-age.

We would have to go back in time and separate out the catch into, this is a catch of males at age, this is a catch of females at age. That is possible within the Bay, given the current monitoring structures, but it is going to take more work for the Coast where that kind of information isn't consistently monitored.

We have to go back and probably develop a sex length key to try and figure out what proportion of a given sizes are different sexes based on the data that we do collect, and convert all of that up and down the coast. It is not a small undertaking, in terms of how we have to change the input data for this model to begin with. In addition to any kind of underlying model structure changes that are going to need to go in to have a sex specific model, specifically we also need sex specific data to go into it.

MR. TERRY STOCKWELL: I understand certainly the sense of urgency from the Mid-Atlantic States, but I want to use Gulf of Maine cod as an example of not moving too quickly to what appears to be good news. After only a year of changing management measures, for those of you who don't know, Gulf of Maine cod had two assessments back-to-back with what the scientists advised is not the best science; and the end result was the conclusion is the status went from bad to worse. I will not be supporting the 2016 assessment update.

MR. G. RITCHIE WHITE: During this Striped Bass Board meeting, there were comments from the Bay states talking about wanting to use the best science to make our decisions. After hearing Katie, clearly the best science is waiting an additional year to get the proper information. I also will be opposing.

MR. DAVID BLAZER: You know I'm not going to reiterate a lot of what Mike talked about yesterday at the Striped Bass Advisory Board. I think from our perspective science information is good, and the more we have is better. I think that is what we're looking for here. We're not making the decision today; we're making the decision today on using the best science available.

Given a lot of the early indications of the information that we have, the retrospective bias that we talked about yesterday, a lot of the information that we've been hearing within our state, we just wanted to take a second look at this and feel that this is a reasonable approach to give us more information. Then we can have the debate about what that means.

We understand the concerns about the science, but we have concerns that the actions that were taken last year, they may be overreaching. We're trying to figure out the best scientific way to move forward. We're not debating the conservation numbers at this point. We're just trying to get the scientific information so that we can make a decision down the road. That is the path that we would like to take and that is the path that we're kind of recommending here.

DR. LANEY: Katie, is my perception correct that at least some part of the work that would be

required for a 2016 update, which would include adding all the 2015 data into the model, would be done anyway, in regard to moving toward the new benchmark assessment? I totally concur with everything you said about all the additional work that needs to be done on the sex specific and stock specific aspects. But part of that would be done anyway, would it not?

DR. DREW: A lot of the state input data is part of the compliance report, so that would be done anyway. We would do a continuity run of the assessment as part of the benchmark process, so update everything through the terminal year of the benchmark with our old model just to look at the differences between models.

I think, though, a lot of that work would be a duplicate of effort, not so much on the data preparation side but on running the model, looking at the results, doing the sensitivity analyses, writing the report, presenting it to this board is duplicative effort that would go into – it is not a huge amount of effort, and our lead assessment scientist on this, Dr. Gary Nelson, has said he can do it, it is within his workload as it stands now. But that doesn't mean there are not tradeoffs in terms of how much work actually gets done then on the benchmark.

MR. BRANDON MUFFLEY: I'm not necessarily speaking in favor or against the motion, per se, but I thought the will of the board in approving this motion yesterday was because they wanted to see what the impacts were on the 2015 regulations and what that meant to the overall stock in its overall condition.

In all of Katie's comments today, it doesn't seem like we're really going to get that kind of answer through an update assessment, because there is not enough time, there is not enough information for the model to really evaluate what that impact on the changing regulations are going to have. There just seems to be a disconnect in terms of why I thought the board approved this motion and what we actually may get out of the update assessment.

MR. JOHN CLARK: I understand the difficulties in doing this assessment right away, and Katie has pointed that out. I think as one of the states that were backing this motion the problem is, I think states that want to see some action taken sooner rather than later is almost like a Catch-22. The board made it clear yesterday that without any new data there was no reason to take any action before the next benchmark in 2018. That is a long time for the states that are suffering under these reductions to deal with a stock that we didn't think needed to be reduced this extremely in the first place. While I recognize the problems that this update would have, I don't see that there is really any choice for the Mid-Atlantic States that would like to see action taken, other than to support going to this; because I don't see how action is going to be taken without it.

CHAIRMAN GROUT: Further discussion on this motion? Yes, Louis.

DR. DANIEL: Yes, I just have to go back. When we're getting recommendation not to move forward, and I certainly understand the need for updates. But one year's worth of data is really not going to tell us anything. We really need three years of consistent regulations to really get an idea of how the stock's responding. I don't see that you're going to have the qualified stock assessment to take action based on this updated stock assessment. You'll have information, but I don't think it's going to be best available science; because it is incomplete.

CHAIRMAN GROUT: Further discussion? Okay, I'm going to read the motion in, while I'm reading the motion in can you caucus on this? This is a motion on behalf of a board so it doesn't need a second. **The motion is; On behalf of the Atlantic Striped Bass Board, I move the ISFMP Policy Board adjust the 2016 stock assessment schedule to include a striped bass update in 2016. Again, I made this**

motion on behalf of the board and I request for a roll call vote on this. Okay, let's take the roll call; Toni.

MS. KERNS: Maine.

MR. STOCKWEL: No.

MS. KERNS: New Hampshire.

MR. WHITE: No.

MS. KERNS: Massachusetts.

MR. ADLER: Yes.

MS. KERNS: Rhode Island.

MR. BORDEN: Yes.

MS. KERNS: Connecticut.

MR. CRAIG A. MINER: No.

MS. KERNS: New York.

MR. JAMES J. GILMORE, JR.: Yes.

MS. KERNS: New Jersey.

MR. FOTE: Yes.

MS. KERNS: Pennsylvania.

MR. MIKE VEREB: Yes.

MS. KERNS: Delaware.

MR. ROY. W. MILLER: Yes.

MS. KERNS: Maryland.

MR. BLAZER: Yes.

MS. KERNS: Virginia.

MR. ROB O'REILLY: Yes.

MS. KERNS: District of Columbia is absent. Potomac River Fisheries Commission.

MR. JOHN BULL: Yes.

MS. KERNS: North Carolina.

DR. DANIEL: No.

MS. KERNS: South Carolina.

DR. MALCOLM RHODES: No.

MS. KERNS: Georgia.

MR. PAT GEER: No.

MS. KERNS: Florida.

MR. JIM ESTES: No.

MS. KERNS: Fish and Wildlife Service.

MR. DAVID E. SAVEIKIS: No.

MS. KERNS: National Marine Fisheries Service.

MS. JESSICA McCAWLEY: Yes.

CHAIRMAN GROUT: **Okay the motion carries 10 to 8**.

ADJOURNMENT

CHAIRMAN GROUT: Are there any other items to come before the Policy Board right now? Then I will take a motion to adjourn at this point and then we'll move right into the Business Session.

(Whereupon, the meeting was adjourned at 11:00 o'clock a.m., November 5, 2015.)